

These are the tentative rulings for civil law and motion matters set for Friday, June 28, 2019, at 8:30 a.m. in the Placer County Superior Court. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by 4:00 p.m. today, Thursday, June 27, 2019. Notice of request for oral argument to the court must be made by calling (916) 408-6481. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date, and after approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.

**NOTE: All telephone appearances are governed by Local Rule 20.8. More information is available at the court's website, [www.placer.courts.ca.gov](http://www.placer.courts.ca.gov).**

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**EXCEPT AS OTHERWISE NOTED, THESE TENTATIVE RULINGS ARE ISSUED BY COMMISSIONER GLENN M. HOLLEY AND IF ORAL ARGUMENT IS REQUESTED, ORAL ARGUMENT WILL BE HEARD IN DEPARTMENT 31, LOCATED AT 10820 JUSTICE CENTER DRIVE, ROSEVILLE, CALIFORNIA.**

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**1. M-CV-0028593 Resurgence Financial, LLC vs. Cummings, Melissa S.**

Defendant moves to quash service of summons based on the failure to properly serve her with the summons and complaint in this action, and to vacate the default judgment entered against her based on the court's lack of jurisdiction. In substance, and despite the motion's title, the gravamen of the motion is that the default judgment against plaintiff is void due to lack of service of summons or improper service of summons.

**Defendant's motion is continued to July 26, 2019, at 8:30 a.m. in Department 31.** The court deems defendant's motion to be a motion to set aside void judgment pursuant to Code of Civil Procedure section 473(d). The motion is continued to permit plaintiff additional time to respond specifically to defendant's argument that the court lacked jurisdiction over defendant based on the failure to effect service of summons, thus rendering the judgment void. Plaintiff may file and serve further opposition to the motion on or before July 15, 2019. Defendant may file and serve a reply brief on or before July 19, 2019.

**2. S-CV-0034521 347 Group Inc. vs. Philip Hawkins Architect, Inc. + Assoc., et al**

The motion for attorneys' fees is continued to August 13, 2019, at 8:30 a.m. in Department 2 to be heard by the Honorable J. Richard Couzens.

**3. S-CV-0034587 Bank of America, NA vs. Rash, Patricia N., et al**

Plaintiff's motion for amended judgment is dropped. No moving papers were filed with the court with respect to the current hearing date. The court notes that plaintiff filed and served a

notice of continued hearing date which states that the motion was continued from June 4, 2019, to June 28, 2019, on the court's own motion. This information appears to be incorrect as the court's file reflects no such action by the court. In addition, no moving papers were filed with respect to a hearing date of June 4, 2019.

**4. S-CV-0039797 Miller, Sherri Lee, et al vs. Smith, Mark S., et al**

The motion for preliminary injunction and order to show cause re: contempt are dropped in light of the stipulation for settlement entered June 20, 2019.

**5. S-CV-0039918 Taylor, Corinne vs. West, Anton, Jr.**

Appearance required on June 28, 2019, at 8:30 a.m. in Department 31.

**6. S-CV-0041091 Penney, Kathleen, et al vs. Barron, Brad W., et al**

Defendant CLC Incorporated's motion to seal Exhibit F to the appendix of exhibits in support of defendant's motion for summary judgment/adjudication is granted.

The court may order a record be filed under seal upon express findings of fact that establish: (1) an overriding interest that overcomes the public's right to access, (2) an overriding interest supporting sealing the record, (3) a substantial probability that the overriding interest will be prejudiced if the record is not sealed, (4) the sealing of the record is narrowly tailored, and (5) there are no less restrictive means to achieve the overriding interest. Cal. R. Ct., rule 2.550(d).

Defendant moves to seal Exhibit F to the appendix of exhibits in support of defendant's motion for summary judgment/adjudication on the grounds that the exhibit contains personal compensation and benefits information relating to individuals who are employees and/or board members of CLC Incorporated, a private corporation. The court finds that there is an overriding privacy interest in such information that overcomes the right to public access to the record and supports sealing of the record. The court also finds that there is a substantial probability that this overriding interest will be prejudiced if the document is not sealed. Further, the court finds defendant has shown that sealing the exhibit is narrowly tailored and the least restrictive means to achieve the overriding interest. The court orders Exhibit F to the appendix of exhibits in support of defendant's motion for summary judgment/adjudication, which has been filed conditionally under seal, to be sealed pursuant to California Rules of Court, rules 2.550 and 2.551.

**7. S-CV-0041129 Yang, Richard, et al vs. Monte Claire Estates HOA, et al**

Motion to Compel Further Responses to Interrogatories (Monte Claire Estates Homeowners Association)

Plaintiffs' motion to compel further responses to interrogatories from defendant Monte Claire Estates Homeowners Association ("the HOA") is granted. "Each answer in response to interrogatories shall be as complete and straightforward as the information reasonably available to the responding party permits." Code Civ. Proc. § 2030.220(a). "If an interrogatory cannot be

answered completely, it shall be answered to the extent possible.” Code Civ. Proc. § 2030.220(b). The HOA’s responses to form interrogatory Nos. 4.1, 12.1, 12.2, 12.3, 16.1, 16.2, 16.3, 16.7, 16.8, 16.9 and 17.1 are insufficient as the HOA does not respond completely to each interrogatory. The HOA shall serve further verified responses to the subject interrogatories on or before July 12, 2019. Plaintiffs’ request for sanctions is denied.

Motion to Compel Further Responses to Interrogatories (Luke Burroughs)

Plaintiffs’ motion to compel further responses to interrogatories from defendant Luke Burroughs (“Burroughs”) is granted. “Each answer in response to interrogatories shall be as complete and straightforward as the information reasonably available to the responding party permits.” Code Civ. Proc. § 2030.220(a). “If an interrogatory cannot be answered completely, it shall be answered to the extent possible.” Code Civ. Proc. § 2030.220(b). Burroughs’ response to form interrogatory No. 17.1 is insufficient as Burroughs does not respond completely to the interrogatory. Burroughs shall serve a further verified response to form interrogatory No. 17.1 on or before July 12, 2019. Plaintiffs’ request for sanctions is denied.

Motion to Compel Further Responses to Request for Production of Documents (Monte Claire Estates Homeowners Association)

Plaintiffs’ motion to compel further responses to request for production of documents from defendant Monte Claire Estates Homeowners Association (“the HOA”) is granted. A party responding to a demand for production under Code of Civil Procedure section 2031.010 must respond with an agreement to comply, a representation of inability to comply, and/or objections to all or part of the demand. Code Civ. Proc. § 2031.210(a). Where the responding party states an inability to comply, the response must state that a diligent search and reasonably inquiry has been made in an effort to locate the item demanded, and the reason the party is unable to comply. Code Civ. Proc. § 2031.230. Where the responding party objects to the category demanded, the objection must identify with particularity the specific document or evidence demanded as to which the objection is made. Code Civ. Proc. § 2031.240(b).

The HOA’s responses to request for production Nos. 1-9 state that the HOA will produce “non-privileged, non-confidential records it understands to be responsive to this request.” To the extent the HOA is withholding responsive documents on the grounds of privilege, it must identify those documents with particularity. All responsive documents that are not withheld based on a valid claim of privilege or right to privacy must be produced pursuant to the HOA’s statement of compliance.

The HOA shall serve further verified responses to the subject requests, and any additional responsive documents, on or before July 12, 2019. Plaintiffs’ request for sanctions is denied.

Motion to Compel Further Responses to Request for Production of Documents (Luke Burroughs)

Plaintiffs’ motion to compel further responses to request for production of documents from defendant Luke Burroughs (“Burroughs”) is granted. A party responding to a demand for

production under Code of Civil Procedure section 2031.010 must respond with an agreement to comply, a representation of inability to comply, and/or objections to all or part of the demand. Code Civ. Proc. § 2031.210(a). Where the responding party states an inability to comply, the response must state that a diligent search and reasonably inquiry has been made in an effort to locate the item demanded, and the reason the party is unable to comply. Code Civ. Proc. § 2031.230. Where the responding party objects to the category demanded, the objection must identify with particularity the specific document or evidence demanded as to which the objection is made. Code Civ. Proc. § 2031.240(b).

Burroughs' responses to request for production Nos. 3-4, 9-10 and 12 state that the Burroughs "does not have any non-privileged, non-confidential records he understands to be responsive to this request in his possession." This response does not comply with Code of Civil Procedure sections 2031.230 or 2031.240(b). Burroughs' responses to request for production Nos. 5-8 state that Burroughs will produce "non-privileged, non-confidential records he understands to be responsive to this request." To the extent Burroughs is withholding responsive documents on the grounds of privilege, he must identify those documents with particularity. All responsive documents that are not withheld based on a valid claim of privilege or right to privacy must be produced pursuant to Burroughs' statement of compliance.

Burroughs shall serve further verified responses to the subject requests, and any additional responsive documents, on or before July 12, 2019. Plaintiffs' request for sanctions is denied.

**8. S-CV-0041147 Keifer, Conrad E. vs. Northcoast Security, LLC**

Motion to Compel Further Response to Interrogatories

Defendant's motion to compel further response to interrogatories is granted in part.

"Each answer in response to interrogatories shall be as complete and straightforward as the information reasonably available to the responding party permits." Code Civ. Proc. § 2030.220(a). "If an interrogatory cannot be answered completely, it shall be answered to the extent possible." Code Civ. Proc. § 2030.220(b). Plaintiff's responses to form interrogatory (employment) Nos. 210.2, 210.3 and 212.6, and special interrogatory Nos. 4, 12 and 26 are insufficient as plaintiff does not respond completely to each interrogatory. Plaintiff shall serve further verified responses to form interrogatory (employment) Nos. 210.2, 210.3 and 212.6, and special interrogatory Nos. 4, 12 and 26, on or before July 12, 2019. The motion is otherwise denied.

The parties' requests for sanctions are denied.

Motion to Compel Plaintiff to Produce Documents

Defendant's motion to compel plaintiff to produce documents is granted in part.

Plaintiff's further responses to request for production Nos. 3, 4 and 6 fail to comply with the requirements of the Code of Civil Procedure. To the extent plaintiff states an inability to comply with a request, plaintiff must state the reason he is unable to comply, e.g., the document

never existed, has been lost or stolen, has been destroyed, or is not in the possession, custody or control of the responding party, in which the case the response must state the name and address of anyone believed to have the document. Code Civ. Proc. § 2031.230. In addition, plaintiff's further responses to request for production Nos. 2 and 5 suggest that plaintiff may be withholding privileged documents, but do not identify with particularity any specific documents or evidence demanded to which the objection is made. Code Civ. Proc. § 2031.240(b). If any documents are being withheld on grounds of privilege, the response must comply with Code of Civil Procedure section 2031.240(b).

Finally, plaintiff is obligated to produce documents within his control, which includes records from plaintiff's prior cell service provider. However, defendant's request that the court order plaintiff to produce records from his social media accounts is denied as defendant fails to set forth specific facts establishing good cause for the requested production. Code Civ. Proc. § 3021.310(b)(1); *Kirkland v. Superior Court* (2002) 95 Cal.App.4th 92, 98.

The parties' requests for sanctions are denied.

**9. S-CV-0041315 Price, Barto B. III, et al vs. O'Dell, Raymond, et al**

Defendants and cross-complainants' motion to transfer and consolidate noncomplex cases to Placer County is denied. Despite the fact that the court has been asked to compare the complaint in Alameda County Superior Court Case No. RG18909161 with the cross-complaint in the instant action, the moving parties fail to submit a copy the complaint or any other admissible evidence regarding the parties and claims at issue in the Alameda County litigation in connection with the instant motion. Based on the evidence provided, the court cannot determine that there are common questions of fact or law in the two actions, that the convenience of the parties, witnesses and counsel will be promoted by the transfer, or that there is a risk of inconsistent rulings if the transfer is not ordered. Plaintiffs' request that the causes of action in the cross-complaint be stayed is denied without prejudice to plaintiffs seeking such relief through a properly noticed motion.

**10. S-CV-0041327 Zhang, Lingzhen vs. Sorby, Brandon**

The motion to compel was dropped at the request of the moving party.

**11. S-CV-0042030 Harris, Michael vs. Dollar Point Association Inc.**

The motion for preliminary injunction is continued to July 11, 2019, at 8:30 a.m. in Department 42 to be heard by the Honorable Charles D. Wachob.

**12. S-CV-0042249 Abramov, Andrey B. vs. Rakin, Andrey**

Motion for Leave to Intervene

Iana Shumeiko's motion for leave to intervene is granted. Ms. Shumeiko shall file and serve her complaint-in-intervention on or before July 5, 2019.

## Motion to Expunge Lis Pendens

### Rulings on Request for Judicial Notice and Objections to Evidence

Plaintiff's request for judicial notice is granted.

Plaintiff's objections to evidence, Nos. 2, 3, 4, 5, 9, and 11-18, are sustained. The remaining objections are overruled.

### Ruling on Motion

Intervenor Iana Shumeiko ("Intervenor") moves to expunge the lis pendens recorded by plaintiff in connection with this action.

A party may move to expunge a lis pendens on the grounds that the complaint does not contain a real property claim, or on the grounds that claimant has not established by a preponderance of the evidence the probable validity of any real property claim. Code Civ. Proc. §§ 405.31, 405.32. A real property claim means "a cause of action in a pleading which would, if meritorious, affect (a) title to, or the right to possession of, specific real property or (b) the use of an easement identified in the pleading". Code Civ. Proc. § 405.4.

As noted, it is the claimant who bears the burden of proof to establish the probable validity of his claims. Code Civ. Proc. §§ 405.30, 405.32. In this case, plaintiff fails to satisfy his burden. First, plaintiff's opposition fails to discuss in any way the legal viability of the real property claims alleged in the complaint. The complaint alleges five causes of action: (1) quiet title – fraud; (2) quiet title – cancellation of instrument; (3) declaratory relief; (4) breach of fiduciary duty; and (5) conversion. Plaintiff's first, second and third causes of action support a prayer for relief to declare that Expo Floors, LLC is the fee simple owner of the property in question. However plaintiff does not establish that these claims will probably be successful at trial, resulting in restoration of title to Expo Floors, LLC. Plaintiff provides no discussion regarding whether defendant, as a 50% owner of Expo Floors, LLC, was actually prohibited from acting on behalf of the company without plaintiff's consent. In that respect it is unclear at this stage whether, even if plaintiff can establish that defendant acted with fraudulent intent, plaintiff would not be limited to the recovery of damages based on lack of proper consideration. Plaintiff simply states in conclusory fashion that "Expo Floors, LLC, is the owner of the Property because Rakin's transfer of the Granite Bay Property ... was fraudulent and done without any consideration to Expo Floors and/or Plaintiff." (Opp. at 8:13-16.)

Even if plaintiff had discussed the legal viability of his real property claims, the motion would still be granted. A lis pendens must be expunged where the claimant cannot prove the probable validity of his claim by a preponderance of the evidence. Code Civ. Proc. § 405.32; *Amalgamated Bank v. Superior Court* (2007) 149 Cal.App.4th 1003, 1016. In opposing the motion, plaintiff asserts that he has never seen the corporate resolution which he purportedly signed agreeing to transfer of the subject property from Expo Floors, LLC, to defendant, that he was unaware of the transfer of the property by the August 6, 2015, grant deed, and that he believed the improvements to the property were done for the benefit of the company. Plaintiff claims that

the company expended \$5,000,000 in improvements on the subject property, and that defendant misappropriated funds from the company in 2018 to pay for improvements to the subject property but provides no other evidence beyond his declaration to support such claims. Plaintiff does not respond to various factual assertions made by defendant, including that plaintiff solely controlled the financial and bookkeeping matters of the company as the chief financial officer, that plaintiff and defendant mutually agreed to use company funds to purchase residences for themselves in 2015, or that plaintiff himself assisted defendant in obtaining a personal loan for improvements to the subject property. In light of all of the evidence presently before the court, the court determines that plaintiff has not established the probable validity of his real property claims by a preponderance of the evidence.

Based on the foregoing, Intervenor's motion to expunge lis pendens is granted. The notice of pending action recorded December 19, 2018, as Document No. 2018-0090911-00 shall be expunged forthwith. Intervenor's request for attorneys' fees is denied as the court finds that plaintiff acted with substantial justification in opposing the motion. Code Civ. Proc. § 405.38.

**13. S-CV-0042393 Kostyuk, Nadia, et al vs. BBV Profit Sharing Plan, a 401K**

Demurrer to Second Amended Complaint

Defendant's request for judicial notice is denied. The documents attached to defendant's request are incomplete and therefore not subject to immediate and accurate determination by resort to sources of reasonably indisputable accuracy. Further, even if the court were to take judicial notice of the existence of the attached documents, it cannot take judicial notice of factual statements therein. Plaintiff's objection to defendant's reply brief is overruled.

Defendant BBV Profit Sharing Plan, a 401 K Deferred Compensation Retirement Plan ("BBV") demurs to plaintiffs' second amended complaint.

A party may demur to a complaint where the pleading does not state facts sufficient to constitute a cause of action. Code Civ. Proc. § 430.10(e). A demurrer tests the legal sufficiency of the pleadings, not the truth of the plaintiff's allegations or the accuracy of the described conduct. *Bader v. Anderson* (2009) 179 Cal.App.4th 775, 787. The court assumes the truth of all facts properly pleaded, and accepts as true all facts that may be implied or reasonably inferred from facts expressly alleged, unless they are contradicted by judicially noticed facts. *Evans v. City of Berkeley* (2006) 38 Cal.4th 1, 6. However, the court does not assume the truth of contentions, deductions, or conclusions of facts or law. *Id.*

The demurrer is overruled with respect to plaintiffs' first cause of action for breach of the implied covenant of good faith and fair dealing. "Every contract imposes on each party a duty of good faith and fair dealing in each performance and in its enforcement." *Careau & Co. v. Secuirty Pacific Business Credit, Inc.* (1990) 222 Cal.App.3d 1371, 1392 (int. cit. omit.) The burden imposed is "that neither party will do anything which will injure the right of the other to receive the benefits of the agreement." *Id.* (int. cit. omit.) A breach of the implied covenant may be stated where a party is alleged to have improperly exercised its discretion under the provisions of the contract. *See Thrifty Payless, Inc. v. The Americana at Brand, LLC* (2013) 218 Cal.App.4th 1230,

1244. The allegations of the second amended complaint are sufficient to state a cause of action for breach of the implied covenant of good faith and fair dealing.

The demurrer is sustained with respect to plaintiffs' second cause of action for breach of contract. Plaintiffs allege that BBV breached the terms and conditions of the "Second Note" by refusing to accept plaintiffs' tender of \$75,000. Plaintiffs fail to allege facts establishing a breach of any express provisions of the Second Note by BBV's refusal to accept tender of an amount less than the amount demanded by BBV upon maturation of the subject loan.

The demurrer is sustained with respect to plaintiff's third cause of action for violation of the automatic bankruptcy stay. The power to issue declarations of contempt and to award other remedies for violation of the automatic stay provided for by 11 U.S.C. § 362 is exclusive to the bankruptcy courts. *In re Ames Dep. Stores, Inc.*, 542 B.R. 121, 142 (Bankr. S.D.N.Y. 2015); *Halas v. Blatek*, 239 B.R. 784, 792 (N.D. Ill. 1999).

The demurrer is overruled with respect to plaintiffs' fourth cause of action for wrongful foreclosure and ninth cause of action to set aside trustee's sale. The basic elements for these claims are (1) the trustee or mortgagee caused an illegal, fraudulent or willfully oppressive sale of real property pursuant to a mortgage or deed of trust; (2) plaintiffs were prejudiced or harmed; and (3) plaintiffs tendered the amount of the secured indebtedness or were excused from tendering. *Daniels v. Select Portfolio Servicing, Inc.* (2016) 246 Cal.App.4th 1150, 1184-1185. The allegations of the second amended complaint are sufficient to state causes of action for wrongful foreclosure and to set aside trustee's sale.

The demurrer is sustained with respect to plaintiffs' fifth cause of action to quiet title. The second amended complaint fails to include a legal description of the real property, the adverse claims to title asserted by BBV against which a determination is sought, and the date as of which the determination is sought. Code Civ. Proc. § 761.020; *Strauss v. Summerhays* (1984) 157 Cal.App.3d 806, 812, fn. 3. Further, the allegation that title to the subject property should be vested in plaintiffs alone contradicts prior allegations in the second amended complaint regarding a first deed of trust on the property.

The demurrer is sustained with respect to plaintiffs' sixth cause of action for slander of title. Documents published in connection with foreclosure proceedings are privileged and do not support a slander of title cause of action. *Kachlon v. Markowitz* (2008) 168 Cal.App.4th 316, 333. Plaintiffs do not allege facts establishing that BBV published any documents without privilege or justification which were false, and which caused harm to plaintiffs. *Alpha & Omega Dev., LP v. Whillock Contracting, Inc.* (2011) 200 Cal.App.4th 656, 664.

The demurrer is overruled with respect to plaintiffs' seventh cause of action for unfair and deceptive business acts and practices under Business and Professions Code section 17200, *et seq.* "The UCL does not proscribe specific activities, but broadly prohibits any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising. ... By proscribing 'any unlawful business practice,' section 17200 'borrows' violations of other laws and treats them as unlawful practices that the unfair competition law makes independently actionable. Because section 17200 is written in the disjunctive, it establishes three varieties of unfair



competition – acts or practices which are unlawful, or unfair, or fraudulent. In other words, a practice is prohibited as ‘unfair’ or ‘deceptive’ even if not ‘unlawful’ and vice versa.” [Citations and quotations omitted.] *Puentes v. Wells Fargo Home Mortgage, Inc.* (2008) 160 Cal.App.4th 638, 643-644. ““An “unfair” business practice occurs when it offends an established public policy or when the practice is immoral, unethical, oppressive, unscrupulous or substantially injurious to consumers””. *People v. Casa Blanca Convalescent Homes, Inc.* (1984) 159 Cal.App.3d 509, 530. The allegations of the second amended complaint are sufficient to state a cause of action for unfair and deceptive business practices.

The demurrer is sustained with respect to plaintiffs’ eighth cause of action for intentional infliction of emotional distress. To allege this claim, plaintiffs must allege “extreme and outrageous conduct,” meaning conduct “so extreme as to exceed all bounds of that usually tolerated in a civilized community.” *Schlauch v. Hartford Acc. & Indemnity Co.* (1983) 146 Cal.App.3d 926, 936. The allegations of the second complaint fail to describe conduct that is “so extreme as to exceed all bounds of that usually tolerated in a civilized community.”

As to the third cause of action for violation of the automatic bankruptcy stay, the demurrer is sustained without leave to amend. As to the second, fifth, sixth and eighth causes of action, the demurrer is sustained with leave to amend. Any amended complaint shall be filed and served on or before July 19, 2019.

#### Motion to Strike

Defendant’s request for judicial notice is denied. The documents attached to defendant’s request are incomplete and therefore not subject to immediate and accurate determination by resort to sources of reasonably indisputable accuracy. Further, even if the court were to take judicial notice of the existence of the attached documents, it cannot take judicial notice of factual statements therein.

Defendant BBV Profit Sharing Plan, a 401 K Deferred Compensation Retirement Plan (“BBV”) moves to strike allegations in plaintiff’s second amended complaint related to attorneys’ fees and punitive damages. A party may move to strike the whole pleading or a portion of the pleading. Code Civ. Proc. § 435(b)(1). A motion to strike may be granted to strike irrelevant, false or improper matters, or to strike a pleading not drawn in conformity with the laws of the state or an order of the court. Code Civ. Proc. § 436(a), (b).

The motion is granted with leave to amend. With respect to plaintiffs’ prayers for attorneys’ fees, the second amended complaint alleges no statutory or contractual basis for an award of attorneys’ fees. 3294(a). With respect to plaintiffs’ prayers for punitive damages, the complaint must allege specific, ultimate facts supporting a finding of oppression, fraud or malice on the part of the defendant. Civ. Code § 3294(a). To adequately allege malice, the party must allege conduct which is intended by the defendant to cause injury to the plaintiff, or despicable conduct which is carried on by the defendant with a willful and conscious disregard of the rights or safety of others. Civ. Code § 3294(c)(1). To adequately allege oppression, the party must allege despicable conduct which subjects a person to cruel and unjust hardship in conscious disregard of

that person's rights. Civ. Code § 3294(c)(2). Plaintiffs fail to allege sufficient, specific ultimate facts to support the prayer for punitive damages.

Any amended complaint shall be filed and served on or before July 19, 2019.

**14. S-CV-0042679      Vuong, Don, et al vs. Gonzales, Jean, et al**

The motion for temporary restraining order and preliminary injunction was dropped by the moving party.

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**These are the tentative rulings for civil law and motion matters set for Friday, June 28, 2019, at 8:30 a.m. in the Placer County Superior Court. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by 4:00 p.m. today, Thursday, June 27, 2019. Notice of request for oral argument to the court must be made by calling (916) 408-6481. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date, and after approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.**